

Membership Balance Plan
Missouri River (North Dakota) Task Force

Agency: Department of Defense (DoD)

1. Authority: The Secretary of Defense, pursuant to section 705(a) of the Missouri River Protection and Improvement Act of 2000 (“the Missouri River Act”) (Title VII of Public Law 106-541, the Water Resources Development Act of 2000), and in accordance with the Federal Advisory Committee Act (FACA) of 1972 (5 U.S.C., Appendix, as amended) and 41 C.F.R. § 102-3.50(a), established the Missouri River (North Dakota) Task Force (“the Task Force”).
2. Mission/Function: The Task Force shall provide independent advice and recommendations to the Secretary of the Army on plans and projects to reduce siltation of the Missouri River in the State of North Dakota and to meet the objectives of the Pick-Sloan Program. Specifically, the Task Force shall:

- a. Prepare and approve, by a majority of the members, a plan for the use of the funds made available under the Missouri River Act, to promote conservation practices in the Missouri River watershed, control and remove the sediment from the Missouri River, protect recreation on the Missouri River from sedimentation, protect Indian and non-Indian historical and cultural sites along the Missouri River from erosion, and control erosion on the Missouri River;
- b. Develop and recommend to the Secretary of the Army for implementation critical restoration projects meeting the goals of the plan; and
- c. Determine if these projects primarily benefit the Federal Government.

The Task Force may, on an annual basis, revise the plan and shall provide the public with the opportunity to review and comment on any proposed revision.

3. Points of View: As prescribed by sections 704 and 705 of the Missouri River Act, the Task Force shall be comprised of not more than 20 members. Specifically, the Task Force membership shall be comprised of:
 - a. The Secretary of the Army or designee, who shall serve as the Chair;
 - b. The Secretary of Agriculture or designee;
 - c. The Secretary of Energy or designee;
 - d. The Secretary of the Interior or designee; and
 - e. The Trust, which is composed of 16 members to be appointed by the Secretary of the Army, including:
 - i. Twelve members recommended by the Governor of North Dakota that represent, equally, the various interests of the public and include representatives of

Membership Balance Plan
Missouri River (North Dakota) Task Force

1. the North Dakota Department of Health,
 2. the North Dakota Department of Parks and Recreation,
 3. the North Dakota Department of Game and Fish,
 4. the North Dakota State Water Commission,
 5. the North Dakota Indian Affairs Commission,
 6. agricultural groups,
 7. environmental or conservation organizations,
 8. the hydroelectric power industry,
 9. recreations user groups,
 10. local governments, and
 11. other appropriate interests.
- ii. Four members representing each of the four Indian tribes in the State of North Dakota.

The members of the Trust shall be appointed by the Secretary of the Army to serve as representative members to the Task Force, pursuant to 41 C.F.R. § 102-3.130(a). Those individuals who are full-time or permanent part-time Federal employees shall be appointed to serve as regular government employee (RGE) members, pursuant to 41 C.F.R. § 102-3.130(a).

4. Other Balance Factors: N/A
5. Candidate Identification Process: Individuals recommended for The Trust, in accordance with the Missouri River Act, as described above in section three above, shall be appointed by the Secretary of the Army to serve as representative members to the Task Force.

Prior to the formal nomination, the list of potential nominees undergoes a review by the Office of General Counsel of the Department of Defense and the Office of the Advisory Committee Management Officer to ensure compliance with the Missouri River Act, as well as Federal and DoD governance requirements, including compliance with the Task Force's charter and membership balance plan. All Task Force members shall be appointed for a two-year term of service, with annual renewals, and may serve no more than two consecutive terms of service on the Task Force, unless authorized by the Secretary of Defense upon the request of the Secretary of the Army.

6. Subcommittee Balance: The Department, when necessary, and consistent with the Task Force's mission and DoD policies and procedures, may establish subcommittees deemed necessary to support the Task Force.

The Secretary of Defense or the Deputy Secretary of Defense may approve the appointment of subcommittee members for a two-year term of service with annual renewals; however, no member, unless authorized by the Secretary of Defense, may serve more than two consecutive terms of service. These individuals may come from the Task Force or may be new nominees, as recommended by the Secretary of the Army and based upon the subject matters under consideration.

Membership Balance Plan
Missouri River (North Dakota) Task Force

Subcommittee members, who are not full-time or permanent part-time Federal officers or employees, shall be appointed as experts or consultants, pursuant to 5 U.S.C. § 3109, to serve as special government employee members. Those individuals who are full-time or permanent part-time Federal employees will be appointed, pursuant to 41 C.F.R. § 102-3.130(a), to serve as RGE members. With the exception of reimbursement for official Task Force-related travel and per diem, subcommittee members shall serve without compensation.

7. Other: As nominees are considered for appointment to the Task Force, the DoD adheres to the rules and regulations issued by the Office of Management and Budget's Final Guidance on Appointment of Lobbyists to Federal Boards and Commissions (76 FR 61756; October 5, 2011) and the rules and regulations issued by the Office of Government Ethics.
8. Date Prepared: June 13, 2014